

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Condominium Property Act is amended by
5 adding Section 18.8 as follows:

6 (765 ILCS 605/18.8 new)

7 Sec. 18.8. Common elements; rights of board.

8 (a) Any provision in a condominium instrument is void as
9 against public policy and ineffective if it limits or restricts
10 the rights of the board of managers by:

11 (1) requiring the prior consent of the unit owners in
12 order for the board of managers to take any action,
13 including the institution of any action in court or a
14 demand for a trial by jury; or

15 (2) notwithstanding Section 32 of this Act, requiring
16 the board of managers to arbitrate or mediate a dispute
17 with any one or more of all of the declarants under the
18 condominium instruments or the developer or any person not
19 then a unit owner prior to the institution of any action by
20 the board of managers or a demand for a trial by jury.

21 (b) A provision in a declaration which would otherwise be
22 void and ineffective under this Section may be enforced if it
23 is approved by a vote of not less than 75% of the unit owners at

1 any time after the election of the first unit owner board of
2 managers.